

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

FILED

SEP 05 2017

Clerk, U.S. District Court
District Of Montana
Helena

APRIL SCHMITT,

Plaintiff,

No. CV-16-106-H-SEH

vs.

ORDER

JOSEPH LAMPORT, JR., individually
and on behalf of Rob's Easy Auto Buy
Here/Pay Here, LLC; KATHERINE
LAMPORT, individually and on
behalf of Rob's Easy Auto Buy
Here/Pay Here, LLC; GALUSHA
HIGGINS & GALUSHA, P.C.; and
BRADLEY COOK, CPA, individually
and on behalf of GALUSHA,
HIGGINS & GALUSHA, P.C.,

Defendants.

On August 15, 2017, Plaintiff April Schmitt requested an Order dismissing Count V of her Second Amended Complaint¹ against Defendant Galusha, Higgins & Galusha, P.C. ("GHG"), which alleged that GHG violated the Fair Debt

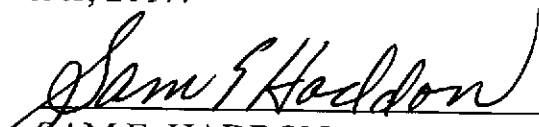
¹ Doc. No. 27.

Collection Practices Act, 15 U.S.C. 1692, et. seq.² As of the filing of the Plaintiff's motion, Defendants Joseph and Katherine Lamport had not responded and the Court issued an order directing compliance with L.R. 7.1(c)(1).³ On August 16, 2017, Defendants Joseph Lamport and Katherine Lamport responded stating they do not oppose Plaintiff's Motion to Dismiss Count V against Defendant Galusha, Higgins & Galusha, P.C.⁴ Additionally, Plaintiff April Schmitt provided a statement of compliance on August 29, 2017.⁵

ORDERED:

1. Count V of Plaintiff's Second Amended Complaint is dismissed with prejudice.
2. All remaining counts contained in Plaintiff's Second Amended Complaint remain in effect.

DATED this 5 day of September, 2017.


SAM E. HADDON
United States District Judge

² Doc. No. 54

³ Doc. No. 58.

⁴ Doc. No. 57.

⁵ Doc. No. 59.